

BULLETIN *of the* **National Association of Credit Men**

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Investigation and Prosecution Supplement

**The Policy Governing the Investigation and
Prosecution Department of the National Asso-
ciation of Credit Men.**

How to Report a Case to the Department.

The Trail of the Seven Cats.

A Deacon Hardwick Story by P. F. Nowlan.

**Membership of Investigation and Prosecution
Committee.**

*"The certainty rather than the severity
of punishment is crime's greatest
deterrent"*



*The Trail of the Seven Cats

A Deacon Hardwick Story, By P. F. NOWLAN

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Through the courtesy of the Retail Public Ledger of Philadelphia, the Investigation Department is privileged to present to the members of the National Association of Credit Men the record of one of its most interesting cases in the form of detective fiction. The fiction, however, is more in form than in substance as all of the facts therein stated were uncovered by our Manager, C. D. West, in tracking down Henry Gerard, who was petitioned into bankruptcy in Mount Clemens, Michigan, in October, 1918.

DEACON HARDWICK sat before a table in his hotel room at Mt. Clemens, Mich.

On the table were: One railroad guide, two blank envelopes, several sheets of stationery and one empty medicine bottle.

These four clues constituted his only hope of tracing Henry Gerard, the owner of two prosperous stores in Mt. Clemens, who had gone on a permanent "vacation" taking with him thousands of dollars' worth of unpaid-for goods. It had taken his creditors many weeks to wake up to the fact that he had no intention whatever of returning. Even the innocent saleswoman he had left in charge of the business believed for a long time that he had gone "to his ranch," though she had no idea where that ranch was.

So the creditors finally began to put the absent Gerard through the bankruptcy mill and Deacon Hardwick was called from New York to take up the very cold trail.

No one at the store seemed to know anything of Gerard's personal affairs, and the four clues enumerated were all that Hardwick could glean from his desk.

The commercial detective did not even know who Henry Gerard was, though he had suspected that the name would prove to be one of a long list of aliases. The very simplicity of the man's operation pointed to long experience in fraudulent failure.

Hardwick concentrated his attention first on the railroad guide. It was the latest issue, and probably had been used by Gerard only in planning his getaway trip.

He balanced the book on the table, back edge down, very carefully. Then he drew his hands gently away and let the pages fall open. They fell apart at the Atchison, Topeka & Santa Fé timetable, west-bound. He repeated this operation carefully six times. Each time the leaves fell apart



DEACON HARDWICK

* This story is not fiction. Gashie Stein, who will be recognized by many retail merchants in various sections of the country under one or another of the aliases in this record, is to-day serving his term.

Deacon Hardwick is fictional only as to the name. He pursued and captured Stein through the four clues exactly as described.

at exactly the same place. He must look for Henry to the southwest. So much for that clue.

The two envelopes told him nothing, but they were distinctive and therefore valuable, being of thin texture, with a lining of red inside, the color being intended to prevent one's reading through the thin paper.

The stationery consisted only of a few blank letterheads of hotels in New York, Chicago and Oakland, Cal. On one of them was a very faint impression, as though Gerard had placed it underneath an envelope on which he was writing. Hardwick could decipher an address in Brooklyn, but not the name. He wired his office in New York and an investigator visited the address, which proved to be an apartment house. The investigator even saw the postman deliver to one of the tenants an envelope similar to the ones with the red lining. But this clue came to an abrupt end through the refusal of the recipient to talk, and the lack of any means to force her to.

THE DOCTOR'S SECRET

MEANWHILE, Hardwick pursued the bottle, through the druggist, to the physician who had prescribed for Gerard's wife, thereby unearthing a grizzly skeleton in the doctor's closet which pointed the way to the trail of the seven cats and the fifty-one trunks with human names.

Hardwick went straight to the doctor on the assumption that, like any reputable citizen, he would be willing to do anything within reason to help in the apprehension of a criminal and that no exaggerated idea of ethics would bind his tongue regarding persons who, from the length of time they had been in Mount Clemens, could not be regarded as other than casual patients.

At first, however, the physician seemed much more anxious to ask questions than to answer them. He was nervous and evasive. Yes, he had attended Mrs. Gerard several times, but specifically what evidence had Mr. Hardwick against them? No, he had no dealings with them at all except in a professional way. He wished to make that clear. But what would be the penalty if they were caught? Suppose there was a nurse with them who in fact was aiding them in their scheme. She would be jailed, too, wouldn't she? "Sort of be out of the road for a year or more—eh?"

In this reference to a nurse Hardwick felt a point of contact. He developed it tactfully. He intimated to the doctor that his business consisted solely in bringing fraudulent bankrupts to justice. No, indeed, the police could handle their own affairs; it was his policy to stick strictly to his own business. He felt sure that the doctor could give him some valuable information, and if in return there was anything he could do for the doctor, why—

The physician decided to make a clean breast of it under this implied assurance.

The tale he told was not a pretty one. Ethics, it seemed, had played only a superficial rôle in his practice for years. But he was in fear. The wife of a certain wealthy southerner was about to bring suit against him for heavy damages. She would allege that while under his treatment he had, without her knowledge and con-

sent, made a "dope fiend" of her, making her believe that she had some mysterious malady which only he could alleviate. His "medicine," for which he had charged her thousands of dollars, consisted of nothing more than further doses of "dope" to satisfy her unconscious craving for the drug.

She would further allege that when she returned south with the nurse of his selection this nurse, in conspiracy with him, had continued to feed her "malady," until finally she had awakened to the motives and methods of the pair, had discharged the nurse and placed herself in the hands of another physician.

The nurse in the case, the doctor informed Hardwick, had reappeared in Mount Clemens as a companion of the Gerards. It was she who had the doctor called in and it was from her that the doctor learned considerably more of the inside of the Gerards' lives than he would have otherwise. It was also she whom the doctor feared. She knew too much about the circumstances which resulted in the southern woman's action.

It was in keeping with the doctor's methods to do anything which he thought would put her effectually out of the way, and as he figured there was a good chance for her to go to jail with the Gerards he decided to take a chance himself to help that chance along.

So he told Hardwick all he knew.

THE TRAIL UNWINDS

THE trail of the seven cats, involving the fifty-one trunks with human names, to which the doctor led Hardwick, reached backward as well as forward. Hardwick found he knew many parts of it, once the doctor identified them for him. With the additional information supplied by the physician he was able to piece it together with but few gaps.

It was the trail of Gashie Stein, known to retail merchants from one end of the United States to the other, under a score of different names.



GASHIE STEIN

It was a very, very crooked trail, starting in Richmond or in Baltimore, where Stein was born in 1860 or 1862. So far as the records go there was nothing to lift his life out of the dead level mediocrity until 1890.

While still a child he went to San Francisco. About the time he came of age he married and apparently plied his trade as a tailor until nearly thirty years old.

But Gashie strayed from the straight and narrow path. He was convicted of passing counterfeit money. So on January 11, 1890, he ceased to be Gashie Stein and became United States Prisoner 13,903 at San Quentin, under a six-year sentence.

The next four years passed quietly for him, the only ripple being the procurement of a divorce by his wife.

On March 11, 1894, with a sentence commuted for good behavior, he stepped forth to begin life anew.

Here there was a gap in the trail and, lacking record, the law assumes that he led an honest, respectable life for sixteen years.

The trail continues again in the land of fraudulent failure. Gashie did business in Erie, Pa., as "Cole & Hill." He pursued the time-honored method of making credit men themselves furnish him with the very credit with which he was to beat them.

He opened in a small way, bought with skill and moderation, sold with skill and profit, and either met all his obligations promptly or discontinued them. In such fashion he built up his Erie business on a sound foundation, gradually increasing his orders until he was able to carry from \$20,000 to \$30,000 worth of goods on credit.

Then, one fine day, he walked out, taking about \$25,000 with him, and left the creditors to root among the remains for what they could salvage.

He was next heard from in Sioux City, Ia., where he failed and skipped as "Immerling Brothers."

He failed and skipped some more in Metcalf and Newman, Ill.

In December, 1912, he opened up in Hoquim, Wash., in time to do a splendid Christmas business, as H. Gordon Fowler and continued for almost a year to do a very profitable and honest business. But the following September "H. Gordon" went on another permanent vacation. It was nothing in Gashie's life that "Fowler" was adjudged a bankrupt on November 10.

He successively favored the credit men with his attentions from Newark, N. J., and Columbus, O.

His period in Portsmouth, O., was a little shorter than usual. "W. C. Evans" began business there in May, 1914, decamping profitably in September of the same year.

Probably this was because romance again had entered Gashie's life, for on Christmas eve of that year a quiet little wedding took place at White Plains, N. Y., the bride being one May Vaughn.

As May entered Gashie's life, so did the several cats which ultimately were to lead to his Waterloo—for May dearly loved cats.

After a very brief honeymoon the couple settled in Yonkers, N. Y., where on January 15, Gashie opened a store under the name of George Stutz. This venture terminated according to schedule and was succeeded by another failure in Newburgh, N. Y., as George W. Stewart in July, 1916.

Thence Gashie's trail led him to Mount Clemens, with at least one profitable stop-off of a few months, at South Bend, Ind.

THE TRUNKS WITH HUMAN NAMES

MAY was a model wife to Gashie. Unlike so many wives, she took a real interest in his "business." In fact, she aided him in it. There were periods of enforced separation—enforced by business necessities—during which Gashie and May cooperated with each other from different sections of the country.

They developed to its greatest possibility the system of the trunks with human names. They seldom took a chance, of disposing of their "salvaged" goods until some time after the failure in which they secreted them. They would pack them in trunks they had in storage in various parts of the country. It fell to May's lot very often to keep an eye on those trunks and take them with her from one city to another.

Each trunk always contained a certain amount of personal wearing apparel, if only a couple of pairs of shoes and some lingerie, for it might become necessary at any time to make good the claim that they contained wearing apparel. It might also be necessary to identify them.

For the rest, each trunk had a name, agreed on between Gashie and May, such as Bertha, Florence, Helen, and so on, and "Bertha," for instance, would be devoted entirely to fine silks, while "Helen" was used for jewelry, and "Gladys" and "Florence" for expensive furs.

If Gashie at any time needed a stock of furs for a special sale, he might telegraph to May, "Where is Florence?" To this May would reply, probably from Milwaukee, "Florence is in Chicago." Then Gashie would wire her that so long as she was near Chicago, she might stop off and pay "Florence" a visit while she was there, or that she ought to bring "Florence" home with her. May, of course, could judge very readily whether Gashie wanted a few furs or the whole trunkload.

At one time they had twenty-one of these trunks in storage in Denver, and somehow or other the credit men suspected who the owners were. May finally called for them, but somebody "slipped a cog," and instead of nabbing her, told her to "come back to-morrow." May never showed up again.

But despite the fact that Gashie was no "piker," and never failed for less than \$20,000, he found the cost of living out of jail was very high. The pair had many narrow escapes from capture.

At one time the credit men located them, and turned the case over to a private detective agency, consisting of a father and son who could not muster much principle between them.

Papa Detective went straight to Gashie, closed the door and said:

"Steiny, old boy, the jig is up. Come across."

And Gashie did, to the tune of many thousand dollars.

The next day Sonny Detective approached Gashie, and intimated that he hadn't "come clean" with Papa. And Sonny wouldn't leave until Gashie disgorged \$10,000 or so more.

Then Gashie decided he'd better take a vacation at once, as his health was suffering terribly, following which Papa and Sonny, seeing no more plums on that tree, "regretted to report," and the credit men lost out again.

Besides all this, Gashie did not always succeed in making a clean get-away. He often found it difficult to avoid certain crooks, posing as lawyers and successful business men, who insisted on poking their noses into a merchant's affairs about the time he was contemplating a vacation. The result was that in many cases the crash was premature, and Gashie would be arrested and find it necessary to fall back on these gentlemen for bail. They always furnished it, providing Gashie himself put up the cash and paid them very, very handsomely for their trouble. They could not be expected to stand the loss out of their own pockets, of course, when Gashie jumped the bail.

On the whole, it cost Gashie a good round sum annually to live out of jail.

But how did Deacon Hardwick trace Gashie Stein, alias Henry Gerard, forward along the trail of the seven cats?

FOLLOWING THE CATS

N the first place, Hardwick knew that he must hunt for Gashie,

May, the nurse and the cats somewhere to the southwest and more than likely at some point along the line of the Atchison, Topeka & Santa Fé Railroad. The page at which the railroad guide had persisted in falling open told him that.

He felt sure he would find Gashie as the proprietor of a newly opened retail store.

It was true that the trail was rather cold by now. Nobody could have known better that it would be cold before the chase started than Gashie himself. Hence, Hardwick argued, he probably had not been so careful in covering his tracks as he would have been otherwise. He wouldn't count on conductors and hotel clerks remembering his party. And if he changed their names frequently on the trip it would break up the trail nicely.

But Hardwick placed his faith in the cats. The party would be remembered and identified by the presence of the cats. Names might be changed, but the cats by any other name would be as obvious.

He had still another clue, with which the doctor had furnished him. Gashie had had his typewriter sent along. The nurse had attended to that. Gashie miscued here, for it was a typewriter with peculiarities, and Hardwick had picked up samples of its typing in the Mt. Clemens store.

In short, then, he was hunting for the proprietor of a newly opened store, plus cats, plus typewriter with specific peculiarities. And there was a chance to trace the typewriter shipment independently of the party.

Hardwick personally took up the investigation among the railroad employees, while he kept the wires busy accumulating names

of new stores along the line of the Atchison, Topeka & Santa Fé Railroad, through boards of trade, city officials and various other sources.

THE END OF THE TRAIL

A GREAT many conductors and brakemen did remember the woman with the cats. Others did not. The same was true of hotel men. The trail was by no means a continuous one, but that made little difference, for there was no doubt of its identity when picked up again, even after a long gap. The series of irregular dashes by which the deacon marked it on his map stopped in the general locality of northeastern Kansas, near the Missouri border. The conductor of a certain train remembered the cats, but neither he nor the members of his crew on that trip could say definitely just where the party had stopped.

Hardwick circled around this section in his check-up, but at no point did he pick up a new cat trail. The assumption was that Gashie had established himself within the circle.

An intensive, if quiet, canvass of the merchants of Atchison and Topeka eliminated those cities.

There remained Leavenworth.

Hardwick scanned his list of new stores. His eye was inevitably arrested by the name

"Outlet Merchandising Company"

Outlet for what? Sample lines and job lots? That was the innocent assumption, of course. But such a name might easily be adopted to cover a trade in the probably peculiar assortments of stolen goods such as a professional bankrupt might accumulate.

Tactful inspection of the store itself revealed an exceptionally high grade of offerings at remarkably low prices. A letter to the store, ostensibly from a customer, brought a reply signed by the proprietor, "C. K. Noble," in which the typing exhibited the looked-for peculiarities. A little simple shadowing of the proprietor led Hardwick to a certain apartment house, where the milk man and the ice man vouched for the fact that one of the tenants was a "nut on cats" and had "a regular menagerie."

That was a couple of days before Christmas.

On Christmas Eve the proprietor of the "Outlet Merchandising Company" gave a dinner to his employees.

The various courses were served, and all went smoothly until the coffee. C. K. Noble was in high good humor and beside him his wife beamed graciously at the men and girls down the table.

He arose and cleared his throat, preparatory to introducing a little round-table discussion of store policy and merchandising in general, when a bellboy slipped up to his side and whispered a message in his ear. He frowned impatiently.

"Tell him to wait!" he snapped. "Haven't you enough sense not to interrupt me now?"

Just then three men stepped into the room, bearing the proprietor's overcoat and hat, also the wife's wraps.

He turned upon them angrily, but his face went white as one of the men stepped forward and whispered.

Then another leaned over the wife and said something to her. The little shriek she gave pierced a tense silence. She struggled to her feet, her eyes wide with fear, but her hysterical attempt to rush toward the door was checked by a grip of steel upon her arm.

While the employees sat motionless in astonishment, the pair left the room in company with the unexpected visitors.

There followed a taxi ride back to their apartments, where, bit by bit, Deacon Hardwick unfolded the story which Gashie Stein and his wife believed was known only to themselves, until Gashie finally broke down under the strain and admitted he was beaten.

Trial and conviction followed in due course. Gashie got six years. His wife got one. She was allowed to take two of her cats to prison with her and it is a matter of record, though perhaps irrelevant, that one of the cats had kittens while in jail.

The record, however, does not state whether there were seven in the litter or not.

The Policy Governing the Investigation and Prosecution Department of the National Association of Credit Men

The aim of the administration of this Department is:

To protect the credit grantor by visiting swift, sure punishment on hardened offenders.

To reduce fraudulent failures by holding before the morally weak the certainty of relentless pursuit and eventual discovery.

To prevent losses by detecting the preparations for planned failures before the plans culminate.

The physical and financial impossibility of prosecuting every failure tainted with fraud and the many ways in which a debtor can avoid his obligations without committing a crime, necessarily limit somewhat the scope of the Department's activities.

The endeavor is to handle:

(a) Cases involving substantial amounts, in which a majority of the creditors are members of the Association and contributors to the support of the Department.

(b) Cases indicating a deliberately planned scheme to defraud rather than carelessness on the part of a failing debtor.

(c) Cases which because of the large amount involved, the prominence of the debtor or the boldness of the crime, if resulting in convictions, would be valuable as public examples.

(d) Cases concerned with maladministration or misconduct on the part of the officials charged with the interpretation, application and enforcement of the law.

The sole interest of the Department is the prevention of or punishment for crime. Its efforts are never directed to securing favorable settlements nor can they be diverted by any monetary considerations. Investigation frequently results in increasing the assets of an estate, and when this happens, the administrators of the Department are correspondingly pleased but such an outcome is incidental to the real purpose of its activities.

Service is the keynote of the Department and cooperative effort is its clef. Successful investigation and prosecution rarely result from individual endeavor. The case viewed with approbation is one presented by an active, aroused Association, indicating its intention to see the matter through and asking the Department to assume only a fair share of the work and the cost.

While no fixed rule can regulate the assistance to be given by the Department and the fund supporting it, the expense should be apportioned in approximately equal parts, to the complaining association, the general creditors and the Investigation and Prosecution fund.

Financial support presupposes that the Department has had some control of the expenses incurred. Commercial investigations are a highly specialized branch of criminal detection and an unskilled operative may irreparably damage a promising case. These two considerations prompt the suggestion that suspicious cases should be brought to the Department's attention as soon as investigation is decided on and before it is undertaken. Its elastic facilities provide for quick decisions and simultaneous action.

How to Report a Case to the Department

CHARACTER OF CRIMES

The principal violations of the law in commercial fraud are:

1. Before bankruptcy:

(a) Using the mails to defraud by sending through them a false financial statement as a basis for obtaining credit, a Federal crime; or violation of False Statement Laws, a state crime.

(b) Sales of stocks of goods in bulk, contrary to Bulk Sales Laws.

(c) Issuing checks in excess of bank balances with intent to defraud in violation of Bad Check Laws.

(d) Obtaining goods under false pretenses.

(e) Conspiracy to defraud.

2. After bankruptcy:

(a) Concealment of goods from a trustee in bankruptcy.

(b) Perjury.

In the first group, using the mails to defraud, making false statements, giving bad checks, or violating bulk sales laws are customarily used as the basis for charges since the other crimes committed before bankruptcy are exceedingly difficult to prove. Unless there is evidence that one of these crimes has been committed prosecutions are rarely successful until after the debtor is in bankruptcy.

It is interesting to note that for the protection afforded by uniform false statement, bad check and bulk sales laws, the creditor is indebted to the National Association of Credit Men.

ANALYZE YOUR CASE

Members believing that a crime has been committed, should first carefully examine the facts in the light of the above cases, to decide whether the act complained of is actually a crime or is an avoidance of debt or failure to pay obligations, which are not crimes in the eyes of the law.

COLLECT THE EVIDENCE

If the conclusion is that the act is a crime, all of the data tending to establish the fact and supporting the decision should be transmitted to the secretary of the local association of which the complainant is a member. Members not affiliated with a local association should correspond direct with the National office.

FINANCIAL STATEMENTS

Statements and letters relating to assets and liabilities received from the debtor and wherever possible the original envelopes in which they were transmitted and the name of the person who can identify such documents as having been received through the mail are the first necessary elements of proof of false statement charges. These should accompany the original complaint, which presumably presents the facts tending to show the falsity of the statement.

SUPPORTING DOCUMENTS

The original signed order or orders are necessary to prove the case. An itemized statement of the complainant's account with the debtor should also be furnished. Characteristic correspondence, whether written by hand or on a typewriter, is helpful for identification purposes.

MEMORANDA AND AFFIDAVITS

The complete story of a crime may not be contained in statements, orders and letters. Frequently it involves conversations with executives, salesmen and the credit man. There may be incidents, apparently unrelated when occurring, which are eventually disclosed as integral parts of the fraudulent transaction. It is helpful to have all such data reduced to writing while it is fresh in memory, preferably by the principal. Taken in the form of an affidavit, it is sometimes available for legal purposes when the writer of it cannot be reached.

SEND A LIST OF CREDITORS

If the debtor is in bankruptcy and his schedules have been filed, please furnish a complete list of creditors. If this information is not available in such form, please compile it from the best sources at your command. Your knowledge of competing houses and the records of your association's credit interchange bureau are helpful to this end.

WHERE THE INVESTIGATION DEPARTMENT COMES IN

Your detailed complaint, accompanied by as many of the above-mentioned documents as it is possible to furnish, when promptly filed as before indicated, will quickly come before the Investigation Department in the form of a request from your association for assistance, either financial or for expert investigation service. The extent and character of that assistance have been defined elsewhere under the heading, "The Policy Governing the Investigation and Prosecution Department."

THE CREDITORS' AGREEMENT WITH THE DEPARTMENT

One of the few rigid requirements of the Department is that the complaining creditors shall execute a form provided agreeing to accept no settlement or compromise of their claims without the consent of the executive members of the Investigation and Prosecution Committee of the National Association of Credit Men. This is necessary to avoid the embarrassing position on the part of the Department of being left without any standing in the proceedings by the settlement of the claims represented by it and to lessen the criticism so often raised by the courts that they are being used as collection agencies through prosecutions for fraud which are dropped when a satisfactory settlement is offered.

No member who is unwilling to sacrifice every cent of his claim in the interest of a successful prosecution should file a complaint with this Department. A case once started is invariably carried through, regardless of offers or consequences.

GETTING THROUGH THE RED TAPE

The Department endeavors to localize all red tape at the filing of a complaint, to avoid all but absolutely necessary entanglements in it and to get through with these as soon as possible.

You will find it:

Elastic.
Helpful.
Prompt.
Efficient.
Productive.

For ease of perusal the various steps in filing a claim as above described are summarized below:

1. Determine that a crime has been committed.
2. Reduce to writing a detailed statement of the facts, direct and collateral.
3. Collect all supporting evidence:
Financial statements.
Original envelopes.
Important letters.
Itemized statement of your account.
Memoranda of conversations.
Signed orders.
4. Compile a list of creditors.
5. Send Nos. 2, 3 and 4 to the secretary of your local association, or if not affiliated, direct to the National office.
6. Be patient.

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For a brief review of the operations of the Investigation and Prosecution Department for the year 1918-1919, read the Department's report to the Detroit Convention in the August, 1919, Bulletin.

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National Investigation and Prosecution Committee

F. C. Demmler, Chairman, Demmler Bros. Co., Pittsburgh, Pa.

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